

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Hazardous Conditions

During the period April 1, 2006, through April 25, 2006, 71 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance				Mode				
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	48 (52)	6 (2)	29 (29)	13 (21)	13 (17)	28 (27)	0 (2)	2 (2)	1 (0)	4 (4)
November	55 (68)	10 (14)	35 (33)	10 (20)	16 (21)	28 (34)	0 (1)	3 (2)	1 (0)	7 (10)
December	51 (58)	5 (8)	32 (34)	14 (16)	18 (19)	29 (29)	2 (3)	1 (2)	0 (0)	1 (5)
January	62 (58)	4 (6)	35 (36)	23 (16)	18 (20)	32 (28)	0 (1)	1 (1)	0 (1)	11 (7)
February	49 (46)	2 (4)	36 (25)	11 (17)	10 (12)	35 (24)	1 (4)	2 (2)	0 (1)	1 (3)
March	54 (70)	2 (11)	40 (43)	12 (16)	16 (25)	29 (33)	2 (1)	2 (1)	0 (3)	5 (7)
April	71 (84)	20 (28)	32 (39)	19 (17)	19 (27)	41 (42)	1 (1)	3 (3)	1 (2)	6 (9)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	390 (436)	49 (73)	239 (239)	102 (123)	110 (141)	222 (217)	6 (13)	14 (13)	3 (7)	35 (45)

(numbers in parentheses for same period last year)

\*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
7	16	8	9	13	18

**DATE:** May 1, 2006

**TO:** EPC

**FROM:** Ed Tormey

**RE:** Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Eugene D. and Jill M. Jordan, Iowa Co. (6)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$2,000	3/30/06
Point Builders LLC and Steve Crawford dba Foxbridge Investments, Cerro Gordo Co. (2)	Wastewater	Prohibited Discharge; Sludge Disposal; WQ Violation – General Criteria	Consent Order \$2,000	4/04/06
W. Boyd Jones Co., Council Bluffs (3)	Air Quality	Asbestos	Consent Order \$3,000	4/04/06
West Central Cooperative, Carroll Co. (4)	Wastewater	Operational Violations	Consent Order \$3,000	4/04/06
IPSCO Steel, Inc., Muscatine (6)	Air Quality	Construction Without Permit	Consent Order \$1,000	4/12/06
Landfill of Des Moines, Des Moines (5)	Solid Waste	Permit Violations – Other	Referred to AG	4/17/06
Dean Pedersen, Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to AG	4/17/06
Tony Mertens, Lee Co. (6)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$4,000	4/20/06
Everly, City of (3)	Wastewater	Discharge Limits	Consent Order	4/24/06

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
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IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT  
May, 2006

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	PERIOD	COMMENT COMMISSION	FINAL SUMMARY TO ADOPTED	RULES PUBLISHED	RULES ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 20, 22, 31 and 33 – Air Quality Program Rules; PSD Rules	5/15/06	*6/07/06		*7/11/06	*7/10/06	*7/12/06	*8/21/06	*8/21/06	*9/13/06			*10/10/06	*10/18/06
2. Ch. 20, 21 and 34 – Adoption of Federal Clean Air Interstate Rule (CAIR)	12/19/05	1/18/06	4823B	2/07/06	2/27/06	2/21,22/06	5/15/06	*5/15/06	*6/07/06			*7/11/06	*7/12/06
3. Ch. 22, 23 – Air Quality Program Rules – Updates, Revisions and Additions	3/20/06	*4/12/06		*5/02/06	*5/12/06	*5/16/06	*6/19/06	*6/19/06	*7/19/06			*8/08/06	*8/23/06
4. Ch. 23, 25 and 34 – Adoption of Federal Clean Air Mercury Rule (CAMR)	12/19/05	1/18/06	4824B	2/07/06	2/27/06	2/21,22/06	5/15/06	*5/15/06	*6/07/06			*7/11/06	*7/12/06
5. Ch. 50-54 – Water Use and Water Allocation Rules	2/20/06	3/15/06	4982B	4/10/06	4/05/06	4/12/06	5/15/06	*5/15/06	*6/07/06			*7/11/06	*7/12/06
6. Ch. 64 – Fee Collection for Wastewater Permits	10/17/05	11/09/05	4652B	12/13/05	11/29, 30/05 12/01/05	12/02/05	5/15/06	*5/15/06	*6/07/06			*7/11/06	*7/12/06
7. Ch. 65 – Open Feedlot Regulations	8/15/05	9/14/05	4506B	10/11/05	10/04, 05, 06, 07/05	10/14/05	3/20/06	3/20/06	4/12/06			*5/09/06	*5/17/06
8. Ch 65 – Designated Wetlands	11/21/05	12/21/05	4771B	1/10/06	1/19, 25, 26, 31/06	2/01/06	*6/19/06	*6/19/06	*7/19/06			*8/08/06	*8/23/06
9. Ch. 65 – Evaluation, Denial of or Condition of Construction Permits or Disapproval or Modification of MMPs for Confinement Feeding Operations	1/17/06	2/15/06	4898B	3/07/06	3/7-10/06	3/10/06	*6/19/06	*6/19/06	*7/19/06			*8/08/06	*8/23/06
10. Ch. 68 – Commercial Septic Tank Cleaners; Ch. 69 – Onsite Wastewater Treatment and Disposal Systems	3/20/06	*4/12/06		*5/02/06	*5/3-4, 9, 10- 11, 16/06	*5/17/06	*6/19/06	*6/19/06	*7/19/06			*8/08/06	*8/23/06
11. Ch. 105 – Organic Materials Composting Facilities	1/17/06	2/15/06	4893B	3/07/06	3/15/06	3/15/06	5/15/06	*5/15/06	*6/06/06			*7/11/06	*7/12/06
12. Ch. 135 – Technical Standards and Corrective Action Requirements for Owners and Operators of USTs; Ch. 134 – Certification of Groundwater Professionals	10/17/05	11/09/05	4653B	12/13/05	11/29, 30/05 12/02/05	12/02/05	3/20/06	3/20/06	4/12/06	5044B		*5/09/06	*5/17/06
13. Ch. 135 – Uniform Environmental Covenants Policy and Procedures	2/20/06	3/15/06	4983B	4/04/06	4/05/06	4/07/06	*6/19/06	*6/19/06	*7/19/06			*8/08/06	*8/23/06
14. Ch. 144 – Household Hazardous Materials	12/19/05	1/18/06	4824B	2/07/06	2/08/06	2/08/06	4/17/06	4/17/06	*5/10/06			*6/06/06	*6/14/06

\* Projected

**IOWA DEPARTMENT OF NATURAL RESOURCES  
COMPLIANCE AND ENFORCEMENT BUREAU**

**DATE:** May 1, 2006  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	10,000	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Donald and Marie Phillips (Milo)	WW	1,300	7-09-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,800	8-01-01
Dennis Seversson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	3,200	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
Wilbur McNear d/b/a McNear Oil Co. (Onawa)	UT	3,930	12-17-02
Jeff Reed d/b/a Reed's Service (Lenox)	UT	7,250	1-12-03
Allan Scott (Marion Co.)	SW/WW	1,150	1-15-03
Peter Cook (Grand Mound)	AQ/SW	500	2-10-03
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Duane Crees (Muscatine Co.)	AQ/SW	963	3-01-03
Affordable Asbestos Removal, Inc.; Jeffry Intlekofer (Ft. Madison)	AQ	3,100	3-30-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Mobile World LC (Clinton Co.)	SW	2,250	6-29-03
McMahon's Bar & Ballroom (Andover)	WS	500	8-08-03

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	2,098	12-15-03
Robert L. Nelson (Orient)	UT	1,501	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04
Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
R. Victor Hanks; Mobile World L.C. (Camanche)	WW	10,000	5-23-04
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Midway Water & Lighting Co., Inc. (Marion)	WS	5,000	7-02-04
Shane Preder (Ft. Madison)	AQ	1,000	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	2,000	8-02-04
Ossian Agri Center, Inc. (Ossian)	WW/HC	2,000	8-02-04
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000	8-03-04
#*James Boller (Kalona)	AFO	4,316	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
* Piper Motor Co.; Bruce Piper d/b/a Super Clean Car Wash	WW	2,625	9-01-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
Roquette America, Inc. (Keokuk)	WW	10,000	3-04-05
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	2,000	4-02-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
ARC Communities 8 LLC; Sunrise MHP (Newton)	WW	2,000	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
#*Dennis VanDerWeide (Sioux Co.)	AFO	500	6-01-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,658	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	10,000	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
David Carlisle (Ringgold Co.)	SW	3,500	7-23-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
# Sunray Pork, Ltd.; Tweedie Finisher Farm (Pocahontas Co.)	AFO	3,000	12-06-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
* Paul Shimp & S & V Fence Co. (Eldridge) (\$950/SEP)	AQ	550	1-16-06
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
Iowa Regional Utilities Assoc.	WS	8,400	1-19-06
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
# Dale Schumann (Buena Vista Co.)	AFO	4,000	1-29-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,500	2-03-06

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
* John Danker (Lee Co.)	AQ/SW	4,440	2-22-06
Robert Plendl; Plendl Brothers Trucking (Kingsley)	UT	3,000	2-25-06
#*Galen Drent (Boyden)	AFO	3,170	5-01-06
Anamosa, City of	WW	4,500	3-17-06
#*Rick Nikkel (Jasper Co.)	AFO	2,500	5-01-06
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	1,600	4-01-06
#*E & N Farms, Ltd. (Lyon Co.)	AFO	2,200	4-01-06
#*Randy Hauan (Winnebago Co.)	AFO	1,092	4-03-06
#*Tony Mertens (Mt. Pleasant)	AFO	3,663	4-20-06
Larry Bergen (Worth Co.)	AQ/SW	2,000	4-28-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
* Country Terrace Mobile Home Park (Ames)	WW	2,010	5-01-06
#*Paul Rehder (O'Brien Co.)	AFO	1,875	5-01-06
* Dennis Gailey (Moorland)	AQ/SW	2,200	5-01-06
* Crestview Mobile Home Park (Ames)	WW	4,250	5-01-06
#*Rick Halma (Lyon Co.)	AFO	2,700	5-01-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000	5-10-06
#*Gary R. Johnson (Allamakee Co.)	AFO	1,500	5-15-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	9,568	5-15-06
# Bruce and Jill Rewoldt (Hardin Co.)	AFO	8,000	5-17-06
Dan Waterman; Waterman Backhoe; Waterman Septic (Maurice)	WW	2,000	5-17-06
#*Greg Gerber (Lyon Co.)	AFO	625	5-21-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
V. A. Enterprises, Inc. (Williamsburg)	WW	2,000	5-26-06
* Curt Kline; Connie Kline (Dunlap)	AQ	3,000	6-01-06
West Central Cooperative (Ralston)	WW	3,000	6-12-06
Point Builders LLC; Steve Crawford (Mason City)	WW	2,000	6-16-06
#*John Kajewski (Cylinder)	AFO	750	7-01-06
* Wayne Staab (Plymouth Co.)	AQ	750	7-01-06
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	2,625	7-15-06
#*Dennis Kuehl (Cass Co.)	AFO	1,500	10-15-06
IPSCO Steel, Inc. (Muscatine)	AQ	1,000	-----
Environ. Egg Production; Iowa Ag Excavating (Wright Co.)	WW	5,000	-----
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
<b>TOTAL</b>		<b>533,221</b>	

The following cases have been referred to the Attorney General:

Long Branch Tavern (Monmouth)	WS	100
Long Branch Tavern (Monmouth)	WS	6,400
Long Branch Tavern (Monmouth)	WS	200
The Universal Assembly of Christians; Marsha Leigh	AQ/SW	10,000
Pat Kelly d/b/a Kelly Construction (Denison)	UT	1,860
Roger Ginger d/b/a L & L Standard (Everly)	UT	5,750
# Jim Dos (Black Hawk Co.)	AFO	3,000
# Travis Aldag (Ida Co.)	AFO	3,000
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	7,300
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	6,000
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070
Relative, Inc.; Doug Smuck (Des Moines)	UT	600
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000
Randy Ballard (Fayette Co.)	FP	2,000

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Edward Bodensteiner (Des Moines)	UT	3,200
Hofer's Danceland Ballroom (Walford)	WS	3,200
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000
#*Harold Unternahrer (Washington Co.)	AFO	700
Hofer's Danceland Ballroom (Walford)	WS	100
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800
Jim Walker (Johnson Co.)	AQ/SW	3,000
Iowa Millenium Investors, LLC (Sumner)	UT	4,000
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Plain Salvage Inc. (Sac City)	AQ/SW	10,000
Wisconsin North dba National Petroleum (Clinton)	UT	2,840
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Marvin Oberly (Burlington)	WW	1,300
Mark Buringrud fdbs Carpenter Bar & Grill (Carpenter)	WS	2,500
Richard Davis (Monroe Co.)	AQ	8,000
Honey Creek Campground (Crescent)	WS	1,000
Ryan Barton; Theresa Barton (Kellerton)	AQ/SW	1,000
Mobile World LC (Camanche)	AQ/SW	10,000
Oran Pub & Grill (Fairbank)	WS	100
M.A., Inc.; Spring Grove Mobile Home Park (Burlington)	WW	7,000
M.A., Inc.; Westside Park for Mobile Homes (Lee Co.)	WW	7,000
John Jolin; Michael Kolbold (Sioux City)	UT	5,760
Dave Paplow (Indianola)	AQ/SW	5,000
Meadow Mist Motel (Fayette Co.)	WS	500
Park View Motel (Oelwein)	WS	750
Plantation Village Mobile Home Park (Burlington)	WS	500
# <b>Dean Pedersen (Pocahontas Co.)</b>	AFO	450
<b>TOTAL</b>		<b>164,980</b>

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Dallas County Care Facility (Adel)	WW	2,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
Kevin Wallerich (Keota)	SW/WW	500
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Stanley Siems (Hardin Co.)	AQ/SW	10,000
Schell Family Partnership (Boone Co.)	HC/SW	5,000
Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Iowa Select Farms, LP; Swartz Finisher Farm (Hardin Co.)	AFO	500
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
Roger Eblen; Eblen Develop.; Duane Menke;		

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**



(Whispering Woods - Council Bluffs)	WW	10,000
# Iowa Select Farms, L.P.; Kerrigan Facility (Union Co.)	AFO	1,000
# D & D Ag Enterprises, LLC (Union Co.)	AFO	2,000
# Iowa Select Farms, Inc.; Clarke Sow (Clarke/Union Co.)	AFO	5,000
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	7,000
Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
Pocahontas, City of	WW	5,000
# T. Patrick and Laurie Cashman (Deep River)	AFO	750
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
# Tim Trostel (Butler Co.)	AFO	2,000
# James Axtell (Hardin Co.)	AFO	500
Iowa Falls, City of	WW	10,000
LeMars, City of	WW	9,000
Ben Haven Mobile Home Park (Quasqueton)	WS	3,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
# Robin Hewer (Clinton Co.)	AFO	3,000
Marvin Bates (Iowa Co.)	AQ/SW/WW	10,000
# Dennis Rowenhorst (Sioux Co.)	AFO	3,000
F. J. Krob & Co. (Walker)	WW/HC	10,000
Fairwinds Corp.; Envirobate Mgmt. (Urbandale)	AQ	10,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
Goose Lake, City of	WS	1,000
# Monty Unkrich (Jefferson Co.)	AFO	3,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
Leland Heisdorffer (Keokuk Co.)	AQ/SW/WW	10,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
# Puck Custom Enterprises, Inc. (Shelby Co.)	AFO	800
# Natural Pork Production II, LLC (Shelby Co.)	AFO	300
# Jerry Vander Platts (O'Brien Co.)	AFO	3,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
MKKS, LLC (Urbandale)	UT	4,600
MKKS, LLC (Windsor Heights)	UT	6,500
MKKS, LLC (West Des Moines)	UT	4,600
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Pleasant Hill, City of	WW	10,000
Lawler, City of	WW	3,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Colleen Weber (Mitchell Co.)	AQ/SW	1,500
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
Goettsch Trucking and Seed, Inc. (Galva)	HC	5,500
Reginald Parcel (Henry Co.)	AQ/SW	1,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
# Douglas J. Pudenz (Carroll Co.)	AFO	8,000
# Scott Lenz (Carroll Co.)	AFO	8,000
# William Mauw; Mauw's Egg Ranch (Sioux Co.)	AFO	3,000
Jack and Mary Hemmingson; Gold Key Motel (Hampton)	WS	5,215
# Maridale Farms, LLC dba Wirtjers Finisher Farm (Sac Co.)	AFO	3,000
# Larry Krogman (Lyon Co.)	AFO	3,000
# Alan Bakker (Sioux Co.)	AFO	6,000
<b>TOTAL</b>		<b>417,502</b>

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
#*Rick Nikkel (Jasper Co.)	AFO	250
Curt Palmer (Humboldt Co.)	AQ	500
* Crestview Mobile Home Park (Ames)	WW	250
#*Tony Mertens (Mt. Pleasant)	AFO	337
# Rick Halma (Lyon Co.)	AFO	300
#*Galen Drent (Boyden)	AFO	166
#*John Kajewski (Cylinder)	AFO	750
#*Gary R. Johnson (Allamakee Co.)	AFO	500
Dennis Nerum (Humboldt Co.)	AQ/SW	500
Renwick, City of (\$4,000/SEP)	AQ/SW	1,000
* Wayne Staab (Plymouth Co.)	AQ	250
# Eugene D. and Jill M. Jordan (Iowa Co.)	AFO	2,000
Gary Stake dba Crest Country Inn (Williamsburg)	WW	1,000
* Fred Miller; Earthworks Contracting (Quimby)	AQ	432
* Country Terrace Mobile Home Park (Ames)	WW	110
#*Paul Rehder (O'Brien Co.)	AFO	375
* Hull, City of	WS/WW	5,000
V. A. Enterprises, Inc. (Williamsburg)	WW	1,000
#*Gary R. Johnson (Allamakee Co.)	AFO	500
#*Greg Gerber (Lyon Co.)	AFO	250
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	375
<b>TOTAL</b>		<b>15,845</b>

The following penalties were collected by Revenue during the Month of March.

* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	225
Robert L. Nelson (Orient)	UT	206
Ranch Supper Club (Swisher)	WS	100

**TOTAL MONIES RECEIVED IN MARCH 16,376**

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

The following penalties have been withdrawn:

Maquoketa Shoreline Development (Jackson Co.)	WW	10,000
Sir Fredericks, Inc.; Fred Scherle (Ankeny)	UT	2,280
River City Development; Russell Hardy (Mason City)	UT	2,480
Edward Rasch; Easter Enterprises, Inc. (Norwalk)	UT	3,000

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2006**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Boyer, William Boyer's Sand & Rock Hawarden (3)	Underground Tank	UST Closure	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 12/07/05 12/23/05
CDI, LLC Forest City (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	4/28/05
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Dos, Jim Black Hawk Co. (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed Trial Date	7/18/05 11/29/05 12/28/05 11/06/06
Farmers Co-Operative Society Sioux Center (3)	Animal Feeding Operation	Discharge Limits; Prohibited Discharge – Confinement/Open Feedlot; Land Application Separation Distance; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	3/20/06
Gettler, Dean Montgomery Co. (4)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Consent Decree (\$3,000/Admin; \$3,000/Civil; Permanent Injunction)	8/16/05 11/29/05 3/06/06
Ginger, Roger Everly (3)	Underground Tank	UST Closure	Order/Penalty	Referred Petition Filed Answer Filed Motion for Partial Summary Judgment	5/15/05 12/07/05 11/25/05 3/20/06
Grain Processing Corp. Muscatine (6)	Air Quality	Emission Standards	Referred to Attorney General	Referred	2/21/05
Kelly, Pat d/b/a Kelley Construction Woodbine (4)	Underground Tank	UST Closure	Order/Penalty	Referred Petition Filed Permanent UST Closure Report No Further Action Letter Dismissed	5/16/05 12/07/05 2/10/06 2/21/06 3/08/06

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2006**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred	4/17/06
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05
Mobile World LC Camanche (6)	Air Quality Solid Waste	Illegal Disposal Open Burning	Order/Penalty	Referred Petition Filed Bankruptcy Petition Filed Plan for Reorganization Appearance by State in Bankruptcy Notice of Intent to Seek Default Appearance by Defendant	8/16/04 4/08/05 4/13/05 4/13/05 6/17/05 3/03/06 3/08/06
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred	2/20/06

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2006**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Northeast Iowa Citizens for Clean Water (NICCW)	Wastewater	DNR Defendant	Defense	Petition Filed	8/29/03
				DNR's Answer	9/25/03
				NICCW's Application for Stay	10/21/03
				NICCW's Brief for Stay	10/21/03
				DNR's Resistance	11/05/03
				DNR's Brief in Resistance	11/14/03
				Hearing on Motion	12/22/03
				Ruling Denying Stay	1/29/04
				NICCW's Motion to Reconsider	2/04/04
				DNR's Resistance	3/01/04
				Hearing on Motion to Reconsider	4/08/04
				Ruling Denying Motion to Reconsider	4/20/04
				NICCW's Application for Interlocutory Appeal	4/28/04
				DNR's Resistance to Interlocutory Appeal	5/11/04
				Supreme Court Order Denying NICCW's Appeal	6/08/04
				NICCW's Motion for Summary Judgment	2/25/05
				Trial Date	2/27/06
				State's Brief in Resistance to Motion for Partial Summary Judgment	5/16/05
				Hearing on Motion for Partial Summary Judgment	6/02/05
				Ruling Granting Partial Summary Judgment	6/22/05
				Agriprocessor's Variance Application	11/04/05
				IDNR's Variance Approval	11/30/05
				EPC's Review of Variances	12/19/05
				Draft NPDES Permit Amendment	2/22/06
				Public Hearing Date	3/28/06
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred	12/15/97
				Petition Filed	10/02/98
				Application for Temporary Injunction	2/04/99
				Temporary Injunction	4/19/99
				Trial Date	9/13/00
				Partial Judgment (Clean-up Order)	9/28/00
				Contempt Application	12/12/02
				Contempt Hearing Date	2/20/03
				Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03)	2/20/03
				Hearing Regarding Contempt	7/09/03
				Order Regarding Bond/Cleanup Deadline	8/01/03
				Bond Posted	8/01/03
				State Objections to Bond	8/20/03
				Ruling Denying Objections to Bond	9/18/03
				Status Hearing Date	4/16/04
				Hearing on Motion to Extend Cleanup Deadline	12/10/04
				Order Reinstating \$100,000 Civil Penalty	1/05/05

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2006**

<b>Name, Location and Region Number</b>		<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Pedersen, Dean Laurens (3)	<b>NEW</b>	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred	4/17/06
Peterson, David Lake Mills (2)		Animal Feeding Operation	Application in Excess of Crop Usage Rate; Prohibited Discharge – Confinement; Failure to Report a Release; WQ Violations – General Criteria	Referred to Attorney General	Referred	11/21/05
Plymouth Dairy Farms Plymouth Co. (3)		Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred Petition Filed	9/19/05 1/10/06
Robertson, Ryan Jefferson Co. (6)		Wastewater	Stormwater Permit Violations	Referred to Attorney General	Referred Petition Filed Trial Date	4/27/05 9/26/05 8/30/06
Roney, Jerry Huxley (5)		Underground Tank	Site Assessment	Order	Referred Petition Filed Application for Default Order Granting Default Motion to Set Aside Default Order Setting Aside Default Trial Date	5/16/05 12/08/05 1/13/06 1/31/06 2/17/06 3/14/06 6/08/06
Roquette America Keokuk (6)		Air Quality	DNR Defendant	Defense	Petition Filed DNR's Answer DNR's Resistance to Temporary Injunction Hearing on Temporary Injunction DNR's Brief in Resistance Roquette's Brief Ruling on Temporary Injunction Trial Scheduling Conference Trial Date Motion for Continuance Order Granting Continuance Trial Date	8/28/03 9/11/03 9/11/03 9/11/03 9/29/03 9/30/03 1/14/04 1/06/05 10/24/05 6/29/05 6/29/05 4/24/06

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2006**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05 5/03/05 7/06/05 8/05/05 8/05/05 1/31/06
Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04
SK Food & Fuel Davenport (6) UST 8606991/1511 Locust	Underground Tank	UST System Deficiencies; Site Check	Referred to Attorney General	Referred Petition Filed	7/18/05 12/07/05
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed State Motion to Dismiss Hearing Ruling Dismissing Damage Claims State's Motion for Summary Judgment Hearing Date Order Granting Continuance	12/06/04 1/10/05 3/07/05 5/17/05 2/27/06 5/01/06 3/20/06
Williams, Dean Stuart (2)	Underground Tank	Remedial Action	Referred to Attorney General	Referred Petition Filed Answer Filed	10/17/05 12/08/05 12/23/05



# Environmental Services Division Variance Report

4/27/2006

<b>Monthly Variance Report</b> April 2006						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	City of Little Sioux	Water Supply	Daryl Enfield	Water quality testing requirements	Approved	3/21/2006
2	Bohac - Picek Family Partnership	Water Supply	Diana Overstake	Non-ASME pressure tanks, reduced tank size	Approved	3/31/2006
3	City Of Newton	Waste Water	Larry Bryant	Pump Clogging Protection	Approved	4/4/2006
4	Ottumwa - Wapello Co. Sanitary Landfill	Solid Waste	Alex Moon	Leachate Collection System Drainage	Approved	4/11/2006
5	SE Iowa Multi-Co. Sanitary Landfill	Solid Waste	Alex Moon	Leachate Collection System Drainage	Approved	4/12/2006
6	Boecker CREP Wetland Lower & Upper Dam	Dam Safety	Dave Allen	Design Freeboard	Approved	4/13/2006
7	Clinton Co. Area Solid Waste Agency	Solid Waste	Alex Moon	Leachate Collection System Drainage	Approved	4/13/2006
8	Koekenhoff CREP Wetland	Dam Safety	Dave Allen	Design Freeboard	Approved	4/19/2006
9	Northern Natural Gas	Air Quality	Rachel Quill	Temporary Air Compressor	Approved	4/20/2006
10	Prairie Solid Waste Agency	Solid Waste	Alex Moon	Postclosure Dedicated Funding	Approved	4/24/2006
11	Iowa Mennonite School	Water Supply	Taroon Veerabhadrapa	Non-ASME pressure tanks	Approved	4/25/2006

**Iowa Department of Natural Resources  
Environmental Services  
Report of WW By-passes**

During the period April 1, 2006 through April 25, 2006, 12 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

<b>Month</b>	<b>Total</b>	<b>Avg. Length (days)</b>	<b>Avg. Volume (MGD)</b>	<b>Sampling Required</b>	<b>Fish Kill</b>
October '05	11(9)	0.672	0.691	3	0(0)
November '05	7(11)	0.167	0.045	2	0(0)
December '05	7(7)	0.028	0.010	2	0(0)
January '06	10(6)	0.441	0.002	2	0(0)
February '06	6(9)	0.238	0.006	2	0(0)
March '06	12(9)	0.155	0.026	1	0(0)
April '06	12(14)	0.073	0.134	2	0(0)
May '05	18(9)	0.138	0.003	3	0(0)
June '05	7(7)	0.262	0.068	0	0(0)
July '05	5(3)	0.454	0.004	3	0(0)
August '05	8(13)	0.072	0.019	3	0(0)
September '05	3(5)	0.361	0.003	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
0	2	0	1	2	7

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Manure Releases

During the period April 1, 2006, through April 25, 2006, 6 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	13 (15)	1 (0)	2 (6)	1 (6)	9 (3)	12 (13)	1 (2)	0 (0)	0 (0)	1 (2)
November	8 (9)	0 (2)	1 (4)	3 (1)	4 (2)	6 (6)	2 (2)	0 (0)	0 (1)	1 (1)
December	2 (2)	0 (0)	1 (2)	0 (0)	1 (0)	0 (2)	2 (0)	0 (0)	0 (0)	0 (0)
January	3 (0)	0 (0)	2 (0)	1 (0)	0 (0)	1 (0)	2 (0)	0 (0)	0 (0)	0 (0)
February	2 (1)	0 (0)	1 (0)	0 (0)	1 (1)	1 (0)	1 (0)	0 (1)	0 (0)	0 (0)
March	2 (1)	1 (0)	1 (1)	0 (0)	0 (0)	0 (0)	2 (1)	0 (0)	0 (0)	2 (1)
April	6 (6)	0 (0)	2 (2)	2 (1)	2 (3)	6 (5)	0 (1)	0 (0)	0 (0)	1 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	36 (34)	2 (2)	10 (15)	7 (8)	17 (9)	26 (26)	10 (6)	0 (1)	0 (1)	5 (4)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1	1	4	0	0	0

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2006**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	9/20/04 – DNR staff gathering information to submit to DNR management.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/20/04 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	4/26/04 – Settlement invitation letter sent.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
<b>11/07/01</b>	<b>Sir Fredericks, Inc.</b>	<b>5</b>	<b>Order/Penalty</b>	<b>UT</b>	<b>Wornson</b>	<b>Agreed to waive penalty based on showing of \$91,800 in out-of-pocket expenses to complete clean-up. Case dismissed.</b>
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule.
<b>1/29/02</b>	<b>Partners Four Investments, Inc.</b>	<b>2</b>	<b>Order/Penalty</b>	<b>UT</b>	<b>Wornson</b>	<b>Penalty waived. Compliance completed. Responsible party has sold UST sites, limited ability to pay. Case closed.</b>
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/30/04 – DNR letter sent.
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	3/1/04 – Appellant's attorney agrees to send another settlement letter to client.

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2006**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
10/01/02	Stan Siems	2	Order/Penalty	AQ/SW	Tack	<b>Default judgement entered 4/12/06.</b>
11/22/02	Schell Family Partnership	5	Order/Penalty	SW/HC	Tack	<b>Follow-up letter sent 4/17/06. Working through Brownsfields process.</b>
<b>11/27/02</b>	<b>River City Development; Russell Hardy</b>	<b>2</b>	<b>Order/Penalty</b>	<b>UT</b>	<b>Wornson</b>	<b>Waived \$2,450 penalty upon showing of out-of-pocket expenses to clean-up. Case closed.</b>
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	9/18/03 – DNR letter. Will monitor for compliance through winter of 2004.
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 – Settlement invitation letter sent.
3/04/03	Iowa Select Farms; Swartz Finisher Farm	2	Order/Penalty	AFO	Clark	5/28/04 – Dept. makes counter offer in response to appellant's settlement offer. 6/15/04 – Second round of offers.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	1/02/04 – DNR letter.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
6/23/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Kerrigan Gilt/Union Co.)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/23/03	D & D Ag Enterprises LLC	4	Order/Penalty	AFO	Clark	Negotiating before filing.
7/10/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Clarke/Union)	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	Negotiating before filing.
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 10/05 – Status report requested from Dept. engineer. 11/05 – Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 – Settlement offer received from MHP attorney.

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9/04/03	Easter Enterprises, Inc.	5	Order/Penalty	UT	Wornson	Dismissed Easter Enterprises as a party. Case closed.
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	1/5/04 – City to upgrade facilities, compliance will be monitored through 2005.
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	<b>TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.</b>
10/27/03	B & Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	<b>B &amp; H no longer operator; questionable as a viable corporation. Review options.</b>
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	<b>Proposed settlement terms.</b>
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Negotiating before filing.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	Negotiating before filing.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	Negotiating before filing.
3/04/04	Tim Trostel	2	Order/Penalty	AFO	Clark	Negotiating before filing.
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement.

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3/16/04	Axtell Finishers; James Axtell	2	Order/Penalty	AFO	Clark	7/29/04 – Dept. reject Axtell's settlement offer and inquires if immediate transfer to DIA is desired.
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
4/16/04	Ben Haven Mobile Home Park	1	Order/Penalty	WS	Clark	Negotiating before filing.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	Negotiating before filing.
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	<b>Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.</b>
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	<b>Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.</b>
<b>5/28/04</b>	<b>Maquoketa Shoreline Development, Inc.</b>	<b>1</b>	<b>Order/Penalty</b>	<b>WW</b>	<b>Tack*</b>	<b>Consent dismissal of order forwarded to Director. Case closed.</b>
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
<b>6/11/04</b>	<b>Long Branch Maintenance Corp.</b>	<b>4</b>	<b>Order/Penalty</b>	<b>WS</b>	<b>Hansen</b>	<b>7/15/04 – Informal meeting to discuss settlement. Attorney for WS to respond by 8/27/04. 11/10/04 – Full penalty paid and letter from WS's engineer submitted. Dept. engineer determined that letter did not meet Dept. requirements for an engineering report. Hearing re-set for 9/16/05. Settlement meeting set for 7/27/05. Meeting held – proposed consent order discussed. Hearing rescheduled for 11/08/05. 11/05 – Further negotiations on consent order. Hearing continued to 1/24/06. 1/06 –Hearing continued to 5/5/06. Settled. Consent order issued 2/24/06. Appeal dismissed by ALJ 3/3/06. Case closed.</b>
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	<b>Hearing set for 6/12/06. Pre-hearing conference set for 5/02/06.</b>
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	Negotiating before filing.

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6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Negotiating before filing.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
6/28/04	Robin Hewer	6	Order/Penalty	AFO	Book	<b>Hearing rescheduled for 6/30/06.</b>
6/28/04	Marvin Bates	6	Order/Penalty	AQ/SW/ WW	Tack	<b>Request for hearing sent to DIA on 4/13/06.</b>
8/06/04	Eldora, City of	1	Permit Conditions	WW	Hansen	WW Permits drafted NPDES permit with revised permit limits and compliance schedule. Legal Services to draft amended order with interim limits.
9/29/04	EnviroBate	4	Order/Penalty	AQ	Book	Waiting on response from company.
10/08/04	Goose Lake, City of	6	Order/Penalty	WS	Hansen	To be set for hearing.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Cleaning up property.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	To be set for hearing.
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	Negotiating before filing.
10/26/04	Monty Unkrich	6	Order/Penalty	AFO	Book	<b>Hearing rescheduled for 6/30/06.</b>
10/26/04	Puck Custom Enterprises; Natural Pork Production	4	Order/Penalty	AFO	Tack	<b>Request for hearing sent to DIA on 4/13/06.</b>
11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	Order and penalty affirmed.
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	Negotiating before filing.
12/06/04	Jerry Vander Platts	3	Order/Penalty	AFO	Book	Order and majority of penalty affirmed.
12/10/04	IPSCO, Inc.	6	Permit Conditions	AQ	Preziosi	<b>Hearing set for 5/09/06. Motion to compel, discovery filed. Pre-hearing conference set for 4/25/06.</b>
1/05/05	S.J. Louis Construction	5	Order/Penalty	WW	Hansen	To be set for hearing.

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1/18/05	MKKS, LC (5 sites)	5	Order/Penalty	UT	Wornson	Settlement conference scheduled for October.
1/20/05	Pleasant Hill, City of	5	Order/Penalty	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05. No response received. To be set for hearing.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	Amended order issued. 3/28/06 – Amended order appealed. Setting up settlement meeting.
1/24/05	Lawler, City of	4	Order/Penalty	WW	Hansen	Negotiating before filing.
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	<b>12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground.</b>
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	<b>Hearing set for 6/12/06. Pre-hearing conference set for 5/2/06.</b>
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	Negotiating before filing.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Clean-up underway.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC 05-UT-02/Brady St., Davenport 8606991	6	Order/Penalty	UT	Wornson	Refer to DIA to be set for hearing.
3/23/05	IPSCO (Muscatine)	6	Permit Conditions	AQ	Preziosi	<b>Hearing reset for 5/09/06. Pre-hearing conference set for 4/25/06.</b>
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
3/25/05	Colleen Weber	2	Order/Penalty	AQ/SW	Tack	<b>Proposed decision upholding order issued on 4/04/06. Appeal to EPC filed on 4/21/06.</b>
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	Settlement conference 10/27/05. UST closed in Dec., reserved penalty settlement.

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4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Clean –up underway.
5/02/05	Goettsch Trucking and Seed Co.	3	Order/Penalty	HC	Wornson	Negotiating before filing.
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	Negotiating before filing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	Meeting on hold due to other violations.
8/11/05	Douglas Pudenz	4	Order/Penalty	AFO	Book	Meeting held 1/11/06.
<b>8/22/05</b>	<b>William Mauw; Mauw's Egg Ranch</b>	<b>3</b>	<b>Order/Penalty</b>	<b>AFO</b>	<b>Book</b>	<b>Penalty paid. Settled. Case closed.</b>
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	Negotiating before filing.
1/27/06	Gold Key Motel	2	Order/Penalty	WS	Hansen	<b>4/25/06 – Settlement offer discussed with WS owner rejected.</b>
2/16/06	Maridale Farms LLC	3	Order/Penalty	AFO	Book	Negotiating before filing.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.
3/23/06	Larry Krogman	3	Order/Penalty	AFO	Book	Negotiating before filing.
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
4/07/06	Alan Bakker	3	Order/Penalty	AFO	Book	New case.

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